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Counsel for Defendant CORRAL

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

LAURO CORRAL,

Defendant.

No. CR 07-00726 CW

STIPULATION AND
ORDER CONTINUING STATUS
DATE AND EXCLUSION OF TIME

IT IS HEREBY STIPULATED, by and between the parties to this action, that the status date in this case, currently scheduled for Wednesday, January 30, 2008, before Honorable Judge Claudia Wilken, may be continued to Wednesday, March 5, 2008, at 2:00 p.m. for change of plea. The reason for the continuance is that defense counsel is still waiting for documents, including transcripts, relating to Mr. Corral's prior convictions in order to determine whether he qualifies as a career offender. Some of the documents still have not been received and are needed to resolve the case. In addition, defense counsel will be unavailable from February 7-8 and February 14-24. The parties therefore stipulate that the time from January 30, 2008, to March 5, 2008, should be excluded in accordance with the provisions of the Speedy Trial Act, 18 U.S.C. §§ 3161(h)(8)(A) and (B)(iv)

1 for adequate preparation of counsel and continuity of counsel.

2 /S/

3 DATED: 1/28/08

4 JOYCE LEAVITT
Assistant Federal Public Defender

5 /S/

6 DATED: 1/28/08

7 GARTH HIRE
Assistant United States Attorney

8 I hereby attest that I have on file all holograph signatures for any signatures indicated by
9 a "conformed" signature (/S/) within this e-filed document.

10 **ORDER**

11 GOOD CAUSE APPEARING, IT IS HEREBY ORDERED that the status date in this case,
12 currently scheduled for Wednesday, January 30, 2008, at 2:00 p.m. shall be continued to
13 Wednesday, March 5, 2008 at 2:00 p.m.

14 IT IS FURTHER ORDERED that the time from January 30, 2008, to March 5, 2008, should be
15 excluded in accordance with the provisions of the Speedy Trial Act, 18 U.S.C. §§ 3161(h)(8)(A) and
16 (B)(iv) for adequate preparation of counsel and continuity of counsel. The Court finds that the ends
17 of justice served by the granting of the continuance outweigh the best interests of the public and the
18 defendant in a speedy and public trial and the failure to grant the requested continuance would
19 unreasonably deny the defendant's counsel the reasonable time necessary for effective preparation,
20 taking into account due diligence.

21 SO ORDERED.

22 DATED: 1/29/08

23 
24 HONORABLE CLAUDIA WILKEN
25 United States District Judge
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